

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LELAND BRETT SAUL,

Defendant.

8:14CR347

ORDER

Defendant Leland Brett Saul (Saul), appeared before the court on October 21, 2016, on the Petition for Warrant or Summons for Offender Under Supervision (Petition) (Filing No. 125). Saul was represented by Assistant Federal Public Defender Richard H. McWilliams and the United States was represented by Assistant U.S. Attorney Michael P. Norris. Through his counsel, Saul waived his right to a probable cause hearing on the Petition pursuant to Fed. R. Crim. P. 32.1(a)(1). I find the Petition alleges probable cause and Saul should be held to answer for a final dispositional hearing before Senior Judge Lyle E. Strom.

The government moved for detention. Saul presented no evidence nor requested a detention hearing. Since it is Saul's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence he is neither a flight risk nor a danger to the community, the court finds Saul has failed to carry his burden and Saul should be detained pending a dispositional hearing before Senior Judge Strom.

IT IS ORDERED:

1. A final dispositional hearing will be held before Senior Judge Lyle E. Strom in Courtroom No. 5, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 9:30 a.m. on December 15, 2016**. Defendant must be present in person.
2. Defendant Leland Brett Saul is committed to the custody of the Attorney General or her designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and

4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 21st day of October, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge